

REMARKS/ARGUMENTS

In the Office Action mailed August 8, 2007 (hereinafter, "Office Action"), claims 1-9 stand rejected under 35 U.S.C. § 102. Claims 1, 5 and 6 have been amended.

Applicant respectfully responds to the Office Action.

I. Claims 1-9 Rejected Under 35 U.S.C. § 102(e)

Claims 1-9 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0123084 to Brossman et al. (hereinafter, "Brossman"). This rejection is respectfully traversed.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131 (citing Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the ... claim." Id. (citing Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). In addition, "the reference must be enabling and describe the applicant's claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention." In re Paulsen, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

Applicant respectfully submits that the claims at issue are patentably distinct from Brossman. Brossman does not disclose all of the subject matter in these claims.

Claim 1 has been amended to recite "wherein said first and second files are combined in accordance with a combining order which specifies the order in which said first and second files are printed by said physical printing device." Support for this amendment may be found in Applicants' specification, for example, page 10, lines 19-23. Brossman does not disclose this subject matter.

Instead Brossman states:

The formatters 225 receive the data stream from the attachment layer 220 and convert the data stream to a widely supported, simple format, such as a bit map, text, a frame of video, or one of many other well-defined interchange formats, thereby facilitating subsequent re-packaging in a device-dependent

manner by the appropriate wrapper function . . . the resulting image data and associated controls may be packaged by the wrapper function.

Brossman, paragraph [0038].

The Office Action points to the above-cited passage of Brossman to support the assertion that “Brossman et al disclose . . . combining said first and second files as a composite print job.” (Office Action, page 2.) It appears that the Office Action is asserting that “re-packaging . . . the resulting image data and associated controls” discloses “combining said first and second files as a composite print job.” However, “re-packaging . . . the image data and associated controls” does not disclose combining said first and second files “in accordance with a combining order which specifies the order in which said first and second files are printed by said physical printing device.” Brossman simply states the image data and associated controls are packaged “one presentation unit at a time to build a job for submission to a presentation device.” There is no disclosure by Brossman of packaging the image data and associated controls “in accordance with a combining order which specifies the order in which said first and second files are printed by said physical printing device.”

In view of the foregoing, Applicant respectfully submits that claim 1 is patentably distinct from Brossman. Accordingly, Applicant respectfully requests that the rejection of claim 1 be withdrawn because Brossman does not disclose all of the subject matter of claim 1.

Claims 2-4 depend either directly or indirectly from claim 1. Accordingly, Applicant respectfully requests that the rejection of claims 2-4 be withdrawn.

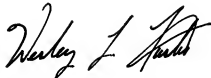
Claims 5 and 6 have been amended with subject matter similar to the subject matter amended to claim 1. As such, Applicant respectfully submits that claims 5 and 6 are patentably distinct from Brossman for at least the same reasons as those presented above in connection with claim 1. Accordingly, Applicant respectfully requests that the rejection of claims 5 and 6 be withdrawn.

Claims 7-9 depend either directly or indirectly from claim 6. Accordingly, Applicant respectfully requests that the rejection of claims 7-9 be withdrawn.

II. Conclusion

Applicant respectfully asserts that all pending claims are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Wesley L. Austin', written in a cursive style.

/Wesley L. Austin/

Wesley L. Austin
Reg. No. 42,273
Attorney for Applicant

Date: November 8, 2007

MADSON & AUSTIN
15 West South Temple, Suite 900
Salt Lake City, Utah 84101
Telephone: (801) 537-1700